

GOVERNMENT OF TELANGANA
ABSTRACT

Public Services - Irrigation & CAD Dept. – Allegations of irregularities noticed in execution of works relating to construction of anicut across Peddavagu stream – Violation of agreement conditions for execution of work by sublet Contractor “Integral Construction company, Vijayawada” and unauthorized payment of Rs.3.513 cores to EPC agency - Disciplinary proceedings initiated against Sri J. Thirupathi Rao, EE(Retd.) – Inquiry conducted - Disciplinary proceedings concluded - Imposing a penalty of 3% cut in pension for a period of (6) years – Orders – Issued.

IRRIGATION & C.A.D. (Vig.II-A.1) DEPARTMENT
G.O.RT.No. 696 **Dated: 16/09/2015**
Read the following:

- Ref: 1. From the Director General (Vig. & Enft.) & E.O. Prl. Secy. to Govt. G.A.D. Vigilance Report No.10(1361/V&E/E1/2006), Dt. 17-01-2008.
2. G.O. Rt. Nos. 1614,I&CAD(Ser.VII(V&E)A1)Dept., dt. 12-10-2009
3. From Sri J. Thirupathi Rao, EE(Retd.), WSSD Dt.05-01-2010
4. G.O. Rt. No. 299, I&CAD(SerVII.(V&E-1) Dept. dt. 17.3.2010
5. From Sri J. Satyanand, CE(Projects)Irrigation, LMD Colony, Karimnagar and Enquiry officers Lr. No. CE/ Projects/ Irrgn/Krmr/Confidenhal/996, Dt. 31-05-2011.
6. Govt. Memo No. 6788/Ser.VII.(V&E)A.1/2008-9, Dt.10-01-2012.
7. From Sri J. Thirupathi Rao, I/C, EE(Retd.)Explanation, Dt. 03-03-2012.
8. Govt. Memo No.6788/Ser.VII.(V&E)A.1/2008-10,Dt.16-06-2012.
9. From Sri J. Thirupathi Rao, I/CEE (Retd.) Representation Dt.23.7.2012
10. Govt. Memo No. 6788/Ser.VII(V&E)A1/2008-11, dt. 05-01-2013
11. From Sri J. Thirupathi Rao, I/CEE (Retd.) Representation, Dt.28.0.2013
12. Govt. Lr.No.6788/Vig.II-A1/2008-16, dt. 25-06-2015.
13. From the Secretary, TSPSC, Hyd. Lr.No.469/RT/TSPSC/2015, dt. 21-08-2015.

ORDER:

In the reference 1st read above, it has been brought to the notice of the Government that certain engineers of I&CAD Department have committed certain irregularities in execution of works relating to construction of a anicut across Peddavagu stream by Violating agreement conditions for execution of work by sublet Contractor “Integral Construction company, Vijayawada” and unauthorized payment of Rs.3.513 cores to EPC agency. The GA(V&E) Department have therefore recommended to initiate appropriate disciplinary action against the engineers responsible for the above said irregularities.

2. After examining the entire matter, it has been decided to initiate disciplinary action against the engineers responsible. Accordingly, in the reference 2nd read above, disciplinary proceedings have been initiated against Sri J. Tirupathi Rao, EE(Retd.) along with other engineers by way

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of issuing Articles of charges, inviting their written statement of defence thereon.

3. In the reference 3rd read above, Sri J. Tirupathi Rao, EE(Retd.) and other engineers have submitted their WSD denying the charges framed against them. After examining the WSD of the charged officers, it has been decided to conduct a detailed Inquiry into the charges framed against them. Accordingly, in the reference 4th read above, Sri J. Satyanand, Chief Engineer(Projects)Irrigation, LMD Colony, Karimnagar has been appointed as Inquiry Officer.

4. In the reference 5th read above, the Inquiry Officer has submitted his inquiry report stating that the charges framed against Sri J. Tirupathi Rao, EE(Retd.) are held as not proved.

5. After examining the inquiry report, it has been decided to deviate with the findings of the I.A. on the following disagreement factors:-

- i. It indicates that having sublet the work to M/s Integral Construction company (ICC) Vijayawada unauthorisedly, the EPC agency M/s Gammon India Ltd in an attempt to regularize the subletting submitted proposal to the Superintending Engineer, without verifying the justification for the proposals regarding eligibility of the sublet firm, the Superintending Engineer submitted the proposals to the Chief Engineer, Medium Irrigation. When the Chief engineer called for the detailed of execution of similar works, they were never submitted. In the mean while the sublet firm continued the execute the work.
- ii. The staff of sublet firm have no business to attend meetings on behalf of EPC agency, record measurements or endorse signatures on any official record, such as drawings etc. Their very presence is not acceptable unless they are officially authorized. Hence allowing such unathorised presence and allowing their signatures on official record amounts to accepting the sublet which is an irregularity committed by the Superintending Engineer as well as by the Executive Engineer.

6. Accordingly in the reference 6th read above, while communicating a copy of the inquiry report along with the above disagreement factorsof the Govt. with the findings of the Inquiry Officer , Sri J. Tirupathi Rao, EE(Retd.) has been directed to submit his explanation, if any, thereon.

7. In the reference 7th read above Sri J. Tirupathi Rao, EE(Retd.) has submitted his explanation with a request to drop further action against him.

8. After examination of the explanation of Sri J. Thirupathi Rao, EE(Retd.), it has been provisionally decided to impose a penalty of 2% cut in pension for a period of (5) years against him, as his explanation is not convincing. Accordingly, in the references 8th read above, a show cause notice has been issued to him with a direction to submit his representation, if any, thereon.

9. In the reference 9th read above, Sri J. Tirupathi Rao, EE(Retd.) has submitted his representation with a request to drop further action against him.

10. After examination of the representation of Sri J. Tirupathi Rao, EE(Retd.), it has been observed that the irregularities committed by him and the Contractor, not only caused undue delay in the ongoing works, but also resulted in the escalation of costs, and in turn caused a huge and recurring loss to the exchequer. Therefore, it has been decided to revise the above said proposed penalty to the extent of 3% cut in pension for a period of (6) years instead of 2% cut in pension for a period of (5) years on Sri J. Thirupathi Rao, I/c EE(Retd.) for the irregularities committed in execution of works relating to construction of a anicut across Peddavagu stream in Violation of agreement conditions for execution of work by sublet Contractor "Integral Construction company, Vijayawada" and unauthorized payment of Rs.3.513 cores to EPC agency.

11. In the reference 10th read above, a revised show cause notice has been issued to Sri J. Thirupathi Rao, I/c EE(Retd.) with a direction to submit his representation if any on the revised penalty of 3% cut in pension for a period of (6) years.

12. In the reference 11th read above, Sri J. Tirupathi Rao, EE(Retd.) has submitted his representation with a request to drop further action against him. After examination of the same, it has been confirmed the above said revised penalty, as his representation is not convincing.

13. Accordingly, in the reference 12th read above, the Secretary, TSPSC has been requested to place the above proposal before the Commission and communicate the concurrence of the Commission thereon.

14. In the reference 13th read above, the Secretary, TSPSC has communicated the concurrence of the Commission. (copy enclosed),

15. After careful examination of the entire matter, it has been decided to impose a penalty of 3% cut in pension for a period of (6) years against Sri J. Tirupathi Rao, EE(Retd.) (Retd.). Accordingly, Government hereby order to impose a penalty of 3% cut in pension for a period of (6) years on Sri J. Tirupathi Rao, EE(Retd.) for the irregularities committed in execution of works relating to construction of a anicut across Peddavagu stream in Violation of agreement conditions for execution of work by sublet Contractor "Integral Construction company, Vijayawada" and unauthorized payment of Rs.3.513 cores to EPC agency.

16. The I&CAD(Ser.II) Department / the Engineer-in-Chief (AW), I&CAD Department, Hyderabad shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

SHAILENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri J. Thirupathi Rao, EE(Retd.), **through** the Engineer-in-Chief (AW),
I&CAD Department., Hyderabad
The Engineer-in-Chief (AW), I & CAD Dept., Hyderabad.
The I&CAD(SerII) Dept.
Copy to:
The Accountant General, T.S., Hyderabad

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The Secretary, TSPSC, Hyderabad.
The General Administration (V&E) Department
The Secretary to Vigilance Commissioner, TVC, Secretariat, Hyderabad
SC/SF

//FORWARDED : BY ORDER//

SECTION OFFICER